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ATTORNEYS FOR DIANNE AND VINCENT GUYTAN

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	Chapter 11
WILLIAMS FINANCIAL GROUP, INC.	§	Case No. 17-33578-HDH
Debtor.	§	(Jointly administered)

**CLAIMANTS DIANNE AND VINCENT GUYTAN'S WITHDRAWAL OF ELECTION
FOR ESTIMATION OF SECURITIES-RELATED CLAIMS**

COME NOW Claimants Dianne Guytan and Vincent Guytan and hereby file this Withdrawal of their Election for Estimation of Securities-Related Claims. In support hereof, Claimants would respectfully show the following:

BASIS FOR WITHDRAWAL

On July 23, 2018, Elizabeth Yingling, counsel for Debtors emailed counsel for Dianne and Vincent Guytan notifying them that the Liquidating Trustee does not agree with their claims as filed and requires that the claims be estimated by the Claims Resolution Arbitrator or the Bankruptcy Court. A true and correct copy of this correspondence is attached hereto as **Exhibit "A"** and incorporated by reference herein. Ms. Yingling further requested that within thirty (30) days of the correspondence, Claimants Dianne and Vincent Guytan provide supporting

documentation for their claim and provide their election as to whether they want the claim estimated by the Claims Resolution Arbitrator or the Bankruptcy Court. *See Exhibit “A.”*

On August 17, 2018, at 10:33 a.m., Ms. Laura Richards Sherry, counsel for Claimants Dianne and Vincent Guytan, responded to Ms. Yingling’s Information Request and Election Request by way of email. A true and correct copy of this correspondence is attached hereto as **Exhibit “B”** and incorporated herein by reference. Counsel for Claimants Dianne and Vincent Guytan provided the requested information and informed Ms. Yingling that they chose to have their claims estimated by the Bankruptcy Court. *See Exhibit “B.”*

Later that same day, Mr. Dalton Harris, counsel for Claimants Dianne and Vincent Guytan, emailed Ms. Yingling and requested that their election be changed to the Claims Resolution Arbitrator (Hon. Glen Ashworth (Ret.)). A true and correct copy of this correspondence is attached hereto as **Exhibit “C”** and incorporated herein by reference.

On September 11, 2018, Claimants Dianne and Vincent Guytan attended a mediation conducted by Hon. Glen Ashworth (Ret.) with the Liquidating Trustee and Ms. Yingling. A true and correct copy of the mediation confirmation is attached hereto as **Exhibit “D”** and incorporated herein by reference.

During the mediation, the Debtor(s) and the Liquidating trustee raised several bankruptcy legal issues as to why they dispute the claims of Dianne and Vincent Guytan. During such mediation, Hon. Glen Ashworth (Ret.) informed the Guytans and their counsel that he does not know anything about bankruptcy law and that, during the claims resolution arbitration(s), he would be “learning as he goes.” Until the mediation on September 11, 2018, the Guytans did not know that the Hon. Glen Ashworth (Ret.) lacked expertise in bankruptcy.

Additionally, Claimants Dianne and Vincent Guytan are concerned with the appropriateness of having the Hon. (Ret.) Glen Ashworth, who conducted the September 11, 2018 mediation, estimate the Guytan's security-related claims as the Arbitrator, as he heard privileged information from both sides during the mediation.

Given the bankruptcy legal issues raised by the Debtor(s) and the Liquidating Trustee and Hon. (Ret.) Glen Ashworth's admitted lack of expertise in bankruptcy law, the Guytans believe it to be more prudent to have their claims estimated by the Bankruptcy Court instead of the Claims Resolution Arbitrator. In NO WAY should this be considered critical of Hon. (Ret.) Glen Ashworth – it is merely an attempt to choose the most appropriate forum for resolution of this matter, which involves some fairly sophisticated bankruptcy issues.

After such informal mediation, on September 18, 2018, Ms. Laura Richards Sherry emailed Ms. Yingling and advised her of the Hon. (Ret.) Glen Ashworth's comments and the Guytans' desire to have the Bankruptcy Court estimate their claims. A true and correct copy of this correspondence is attached hereto as **Exhibit "E"** and incorporated herein by reference.

Ms. Yingling responded shortly thereafter and stated that the Guytans' election had already been made and cannot be changed. A true and correct copy of this correspondence is attached hereto as **Exhibit "F"** and incorporated herein by reference.

As such, Claimants Dianne and Vincent Guytan now seek relief from the Court to change their election to have the Bankruptcy Court estimate their claims instead of the Claims Resolution Arbitrator.

WHEREFORE, Claimants Dianne and Vincent Guytan request the Court take notice of this Withdrawal of Election for Estimation of Securities-Related Claims and change Claimants

Dianne and Vincent Guytan's election from the Claims Resolution Arbitrator to the Bankruptcy Court, and for any other such relief as may be just and proper.

Dated: September 21, 2018

Respectfully submitted,

THE HARRIS FIRM, P.C.

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**ATTORNEYS FOR DIANNE AND
VINCENT GUYTAN**

CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2018, a true and correct copy of the foregoing and attached was served on Trustee, counsel for the Debtor(s) and all parties who have requested electronic service via the Court's ECF filing system.

/s/ Lee David Winston

Lee David Winston